

**GOVERNMENT OF ANDHRA PRADESH**  
**ABSTRACT**

Estt. – Zilla Praja Parishad, Krishna District – Sanction of pension and pensionary benefits to Smt.B.Nancharamma, Smt.J.Venkateswaramma, Smt. B.Baby Sarojini, and Sri P.Punnaiah, retired conductress and Conductor in Krishna District – orders - Issued.

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**PANCHAYAT RAJ & RURAL DEVELOPMENT (ESTT.VA) DEPARTMENT**

**G.O.Rt.No. 1913**

**Dated: 23.12.2010**  
**Read the following:**

1. G.O.Ms.No.708 Education (H1) Department, dated 23.05.1983
2. Govt. Memo No. 43154/Estt.VA/A2/2002-04, dt. 26.6.2004.
3. G.O.Ms.No.239, PR (Estt.IV) Dept., dated 18.4.1981.
4. Representations of Smt.Bodicherla Nancharamma, Smt.J. Venkateswaramma, Smt. Baby Sarojini and Sri P.Punnaiah, Conductress/Conductor dated NIL, 7.1.2010
5. Hon'ble APAT orders dated 16.12.2009 in O.A.No. 12565/2009, dated 23.12.2009 in O.A.No. 12772/2009, dt. 25.11.2009 in O.A.No.11788/2009 and dated 18.08.2009 in O.A.No.5523/2009
6. Hon'ble A.P. High Court orders dated 17.8.2010 in W.P.No.18735/2010 filed by Sri P.Punnaiah.
7. From the Commissioner, PR&RE, Hyd. Lr.No.11511, 688, 210/C.P.R.&RE/I-1/2010, dt. 25.9.2010, 25.9.2010 & 29.9.2010.
8. From the C.E.O., Zilla Praja Parishad, Krishna Dist. Rc.No.1629/2009/C1, dt. .12.2010.
9. C.A.Nos. 915/2010, 847/2010, 895/2010 and 229/2010 filed in the Hon'ble APAT.

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**ORDER:**

1. In the reference 4<sup>th</sup> read above, Smt.B.Nancharamma, Smt.J. Venkateswaramma, Smt. B.Baby Sarojini, and Sri P.Punnaiah, retired conductress and Conductor in Krishna District have represented the Government to sanction pension and pensionary benefits since they were completed 33 years of service keeping in view of the orders of the Hon'ble APAT, Hyderabad vide reference 5<sup>th</sup> read above.

2. Smt. Bodicharla Nancharamma, Smt. J. Venkateswaramma, Smt.B. Baby Sarojini and Sri P.Punnaiah, were appointed on 24.10.1974, 15.11.1974, 20.11.1975 and 9.8.1974 as Conductress/Conductor in MPUP School in Krishna District and retired from service on 30.9.2006, 31.5.2008, 30.11.2006 and 31.7.2008 respectively. The Chief Executive Officer, Zilla Praja Parishad, Krishna District informed that the services of four individuals have been regularized and they have continuously drawn their annual increments and 8 years scale etc. and their pay fixation was done as per the recommendations of the PRCs from time to time that they were appointed after cut off date i.e., 18.1.1974. After their retirement, the pension proposals were rejected by the Chief Executive Officer, Zilla Praja Parishad, Krishna District, on the plea that they were appointed after cut off date i.e., 18.1.1974 and their regularisation of service is irregular as per the instructions issued vide ref.2<sup>nd</sup> read above.

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3. Aggrieved by the orders of the Chief Executive Officer, Zilla Praja Parishad, Krishna District and also instructions issued in Govt Memo dated 26.6.2004, the above said (4) individuals filed O.A.Nos. 12565/2009, 12772/2009, 11788/2009 and 5523/2009 in Hon'ble APAT. The Hon'ble APAT in its orders dated 18.8.2009 in O.A. No. 5523/2009 in respect of Sri P.Punnaiah, have directed the respondents are as follows:

“Thus it is clear that the service of the applicant is governed by the A.P.Last Grade Service Rules and as such, A.P.Revised Pension Rules, 1980 are applicable, and as per Rule 13 of A.P.Revised Pension Rules, 1980, he is entitled for pension. Now the respondents are rejecting the claim of the applicant quoting G.O.Ms.No.708 Education Dept., dated 23.5.1983, wherein it is stated that the Government direct that the School Conductors/Conductresses under Panchayat Raj bodies who were appointed prior to 18.1.1974 and are continued on full time basis for a period of 5 years as on 1.4.1981 shall be allowed the concession extended to contingent employees in G.O.Ms.No.239, PR (Estt.IV) Dept., dated 18.4.1981, subject to the conditions that (i) there shall be no recruitment to their posts when they retire and (ii) their posts are purely personal to them and the holder dies in harness, her/his post shall not be filled in by her/his son, daughter, spouse. These orders are executive instructions and they cannot override the statutory provisions in the Pension Rules. The Applicant rendered 34 years of service, having been appointed in 1974, and now, at this stage, he cannot be denied the pensionary benefits by quoting a GO which was subsequently issued.

Accordingly, the O.A. is allowed and the 4<sup>th</sup> respondent is directed to process the pension papers of the applicant whereupon the 1<sup>st</sup> respondent is directed to pay pension and pensionary benefits as per rules within eight weeks from the date of receipt of a copy of this order”.

4. Further in the remaining (3) O.A.s 12565/2009, 12772/2009, 11788/2009, filed by Smt. B.Nancharamma, Smt.B.Baby Sarojini and Smt.J.Venkateswaramma, the Hon'ble APAT in its orders dated 16.12.2009, 23.12.2009 and 25.11.2009 respectively have directed to process the pension papers on par with the judgment dated 18.8.2009 in O.A.No.5523/2009 in respect of Sri P.Punnaiah. Subsequently, the individuals have filed C.A.Nos.915/2010, 847/2010, 895/2010 and 229/2010 for not implementing the orders of APAT.

5. In the reference 6<sup>th</sup> read above, the Hon'ble AP High Court in its orders dated 17.8.2010 have dismissed the W.P. No.18735/2010 filed by the Chief Executive Officer, Zilla Praja Parishad, Krishna District, duly confirming the view taken by the APAT in its orders dated 18.8.2009 in O.A.No.5523/2009.

6. Government after careful examination of the entire matter hereby accord sanction the pension and pensionary benefits to Smt.B.Nancharamma, Smt.J.Venkateswaramma, Smt. B.Baby Sarojini, and Sri P.Punnaiah, who were retired conductresses and Conductor in Krishna District as per the orders of Hon'ble APAT dated 16.12.2009 in O.A.No. 12565/2009, dated 23.12.2009 in O.A.No. 12772/2009, dt. 25.11.2009 in O.A.No.11788/2009 and the orders of Hon'ble High Court dated 17.8.2010 in W.P.No.18735/2010 respectively duly relaxing the instructions issued in Govt. Memo 43154/Estt.VA/A2/2002-4, dt.26.6.2004, since the four individuals were completed 5 years of service on or before 1.4.1981 and eligible as per G.O.Ms.No.239 PR&RD (Estt.IV) Dept., dated 18.4.1981.

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7. The Commissioner of Panchayat Raj & Rural Employment, A.P., Hyderabad and the Chief Executive Officer, Zilla Praja Parishad, Krishna District, shall take further necessary action accordingly.

8. This order issues with the concurrence of Finance Department, vide their U.O.No. 32259/680/A1/PC.III/2010, dated 01.12.2010.

**(BY ORDER AND IN THE NAME OF GOVERNOR OF ANDHRA PRADESH)**

**M.V.P.C. SASTRY  
SPECIAL CHIEF SECRETARY TO GOVERNMENT**

To  
The Commissioner, Panchayat Raj & Rural Employment , A.P., Hyderabad  
Copy to  
The Chief Executive Officer, Zilla Parishad, Krishna District.  
The individuals through the Chief Executive Officer,  
Zilla Praja Parishad, Krishna District  
The District Treasury Officer, Krishna District  
The A.G.,A.P., Hyderabad.  
The P.S. to Spl. CS to Govt., (PR) Dept.  
The P.S. to Hon'ble M(PR),  
SF/SC

**//FORWARDED::BY ORDER//**

**SECTION OFFICER**